

AF/2800



PATENT
Customer No. 22,852
Attorney Docket No. 06555.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Michael MOVALLI et al.

Application No.: 08/679,421

Filed: August 23, 1996

For: METHOD AND APPARATUS FOR
GENERATING SECURE
ENDORSED TRANSACTIONS

Commissioner for Patents
Washington, DC 20231

Sir:

Group Art Unit: 2514

Examiner: M. Tremblay

2876

TECHNOLOGY CENTER 2800

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AMENDMENT AFTER APPEAL

In accordance with the suggestion by the Board of Appeals, Applicants are filing this amendment under 37 C.F.R. 1.197(c)(1).

IN THE CLAIMS:

Please cancel claims 1-10 and 15-19, without prejudice.

REMARKS

In a Decision on Appeal dated August 30, 2002, the Board of Patent Appeals and Interferences reversed the Examiner's 35 U.S.C. § 103 rejection of claims 1-27 and 29-31. Pursuant to 37 C.F.R. § 1.196(b), however, the Board issued a new rejection of claim 1 under 35 U.S.C. § 102(b). The Board declined to address the patentability of the remaining claims.

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In this Amendment, Applicants have canceled claims 1-10 and 15-19, to eliminate the rejected claim from prosecution at this time and to advance prosecution of this application in light of the Decision on Appeal. Applicants submit that the remaining claims 11-14 and 19-31 are distinguishable from the references of record, including those references addressed in the Decision on Appeal, for at least the reasons set forth previously in the prosecution of this application, including Applicants' Appeal and Reply Briefs, and the Decision on Appeal.

Applicants' representative contacted the Examiner prior to filing this Amendment with the hope of reviewing Applicants' decision to continue prosecution of claims 11-14 and 19-31 in light of the Decision on Appeal. Unfortunately, the Examiner was not aware of the Board's Decision when contacted and, thus, was not in a position at that time to discuss the application with Applicants' representative. Applicants respectfully request that the Examiner contact the undersigned representative following a review of the Board's Decision and prior to issuing any additional action.

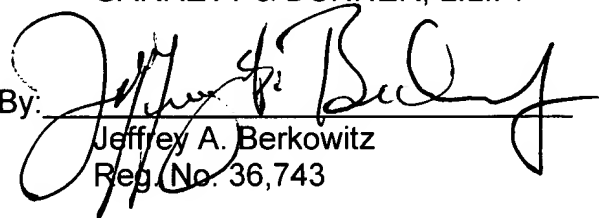
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 29, 2002

By:


Jeffrey A. Berkowitz
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